In the Honble High Court of Chhattishgarh at Bilaspur (C.G.)

W.P. No. 3020 2006 SINGLE BENCH

P.R. No. 3641 dt. 26/6/06
Presented by Shri S. K. Verma
dated 26/6/06

Petitioner ..... Kalish Singh Bhuarya aged 40 years son of Shri Bharat Singh, Assistant Teacher, Middle School, Village Kewattola, Block Mohala, District Rajnandgaon.

VERSUS

Respondent ... ... 1. The State Government of Chhattishgarh, Through the Secretary, Tribal Welfare Department Ministry, D.K.S. Bhavan, Raipur (C.G.)

RECEIVED COPY
CLERK U/A BILASPUR 26/6/06

2. The Block Education Officer, Block - Mohala District Rajnandgaon, (C.G.)

Writ petition under articles 226/227 of the Constitution of India for issuance of writ in the nature of MANDAMUS, Certiorari, Prohibition and other suitable WRIT or writs, Order or orders, Direction or directions.

(30)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. No. 3017 of 2006

Petitioner : Bhuwan Das Panika

Versus

Respondents : The State Govt. of Chhattisgarh & another

W. P. No. 3018 of 2006

Petitioner : Nand Kumar Sahu

Versus

Respondents : The State Govt. of Chhattisgarh & another

W. P. No. 3019 of 2006

Petitioner : Bhavdas Ramteke

Versus

Respondents : The State Govt. of Chhattisgarh & another

W. P. No. 3020 of 2006

Petitioner : Kalish Singh Bhuarya

Versus

Respondents : The State Govt. of Chhattisgarh & another

W. P. No. 3021 of 2006

Petitioner : Kalaram Sinha

Versus

Respondents : The State Govt. of Chhattisgarh & another

W. P. No. 3022 of 2006

Petitioner : Mukundram Dugga

Versus

Respondents : The State Govt. of Chhattisgarh & another

W. P. No. 3023 of 2006

Petitioner : Pyariram Yadav

Versus

Respondents : The State Govt. of Chhattisgarh & another

(31)

W. P. No. 3024 of 2006

Petitioner : Amruram Amila

Versus

Respondents : The State Govt. of Chhattisgarh & another

W. P. No. 3025 of 2006

Petitioner : Rameshwar Sing Jureshiya

Versus

Respondents : The State Govt. of Chhattisgarh & another

And

W. P. No. 3026 of 2006

Petitioner : Jagat Ram Sahu

Versus

Respondents : The State Govt. of Chhattisgarh & another

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri.**

Shri Ajay Shrivastava, Advocate for the Petitioners.
Shri V.V.S. Moorthy, Dy. Advocate General with Smt. Anju Ahuja, Dy. Govt. Advocate for the respondents/State.

ORDER

(9th October, 2006)

1. Learned counsel appearing for the petitioners submits that while working as Assistant Teachers/Upper Division Teachers, the petitioners have gone on training to improve their qualifications on their own expenses and acquired B. Ed./B.T.I Examination Certificate.

2. The present writ petitions, being W.P. Nos. 3017/2006, 3018/2006, 3019/2006, 3020/2006, 3021/2006, 3022/2006, 3023/2006, 3024/2006, 3025/2006 and 3026/2005 involve similar facts and common question of law. Thus, these

petitions are being disposed of by this common order. Grant of two additional increments on obtaining B.Ed./B.T.I. Examination Certificate at own cost was withdrawn by the order dated 20.5.1998 (Annexure P/1).

3. According to learned counsel for the petitioners, the petitioners are entitled to two advance increments in view of the decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}. This Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), came to the conclusion that the teachers, who had obtained B. Ed./B.T.I. Examination Certificate on his own expenses, are covered by the circular dated 24.12.98 issued by the State Government of Madhya Pradesh.

4. Learned counsel for the petitioners further submits that the facts and question of law involved in the present cases are squarely covered by decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), to which learned counsel appearing for the respondents fairly concedes and agrees with the averment made by learned counsel appearing for the petitioners.

5. Accordingly, the writ petitions are allowed in terms of the order passed in the case of Yashwant Kumar Bharadwaj Vs.

Municipal Corporation, Durg and another (Supra), subject to verification of the fact as to whether the petitioners have acquired B.Ed./B.T.I. Examination Certificate on their own expenses or not. No order as to costs.

6. A copy of this order be placed on record of other connected writ petitions.

Sd/-
Satish K. Agnihotri
Judge

Subhash